


GREENVILLE POLICE DEPARTMENT POLICY AND PROCEDURES MANUAL		
Chapter 84	Property and Evidence Control	
Date Initially Effective 07/30/94	By The Order Of:  Hassan Aden, Chief of Police	
Date Revised 07/30/13	Date Reissued 07/30/13	Page 1 of 7

The purpose of this directive is to establish procedures for the receipt, handling, security and disposition of property and/or evidence in the custody of the Greenville Police Department after it has been seized, recovered, abandoned, lost, or found.

It is the policy of the Greenville Police Department to maintain and/or dispose of found, recovered, or evidentiary property in accordance with federal, state, and local statutes, and court decisions relating to such properties.

84.1.1 PROPERTY AND EVIDENCE MANAGEMENT AND CONTROL

CALEA Standard: 84.1.1

The Property and Evidence Specialist is responsible for management activities relating to found, seized, recovered, or evidentiary property in custody of the Department. It is the responsibility of the Property and Evidence Specialist to log all property and evidence into agency records, as soon as possible, and to maintain accurate property management records at all times. The Property and Evidence Unit is a component of the Logistics Division and is under the direct supervision of the Logistics Division Commander.

Property and Evidence Submission

The Property and Evidence Unit serves as a secure repository and control center for the receipt, storage, and release of property and evidence. All evidence or property received by the Property and Evidence Unit are assigned an initial case (OCA) number by the Communications Center and later an additional property number is assigned by the Property and Evidence Specialist. Property and evidence may be received in the following categories:

- Arrest evidence
- Investigative property
- Found/recovered property
- Decedent's property
- Property for disposal
- Other property

Improperly packaged evidence or evidence that is submitted without a completed property report will be held in a locker and shall not be logged in the evidence room until properly packaged or the report has been turned in. Officers should exercise discretion when seizing property and if possible, photographs should be taken of property that has little or no chance of being presented in court at trial. Digital still images should be retained in the digital darkroom in lieu of submission of the evidence. Chapter 83, *Collection/Preservation of Evidence*, provides guidelines for the submission and storage of digital images.

The police officer who recovers or seizes property or evidence shall:

- Determine whether the property/evidence should be in police custody
- Place all property, evidence and corresponding paperwork under the control of the property and evidence function before the police officer ends his/her tour of duty unless exceptional circumstances exist and approval is granted by an on-duty supervisor.
- Collect, package, and label the property/evidence as outlined in Greenville Police Department Policy and Procedures Manual, Chapter 83, *Collection and Preservation of Evidence*.
- Categorize the property/evidence
- Enter the property/evidence on the case report in New World to include the details of how the property/evidence came into the agency's possession. Attempt to identify and notify the rightful owner of found or recovered property when appropriate
- Approve the disposition of property/evidence by the police officer's own authority when appropriate
- Under no circumstances will police officers destroy, hold, or convert to their personal use seized, found, or recovered property/evidence.

84.1.2 SECURITY AND ACCOUNTABILITY

CALEA Standard: 84.1.1, 84.1.2

To ensure accountability, all property/evidence stored by the Department shall be maintained in a designated secure area. Access to the property/evidence room shall be limited to the Administrative Services Bureau Commander, the Logistics Division Commander, and authorized Property and Evidence personnel. A visitor log shall be maintained by the Property and Evidence Specialists of all persons who enter the Property and Evidence Room. All visitors must be accompanied by the Property and Evidence Specialist, Logistics Division Commander, or designee.

Items Requiring Added Security

Property/evidence items that require added protection shall be stored in safe, separate, locked, secure areas within the Property Room. These items include:

- Money
- Precious metals
- Jewelry
- Gemstones
- Weapons
- Controlled Substances

Acceptance and Release of Controlled Substances

All controlled substances accepted into, and released from, the custody of the Department shall be controlled by the following systems:

Quality and Quantity Control System of Controlled Substances

The investigating police officer shall weigh and, count seized controlled substances prior to packaging. The police officer shall record the weight and number of each controlled substance on the property report. The police officer shall store the controlled substances in a Department approved container and seal the container in an approved manner. The sealed container will then be submitted to the Property & Evidence Specialist for storage and/or processing.

Controlled Substance Container Inspection System

All property containers to be used for controlled substances shall be approved by the Department prior to use. The inspection of evidence containers being used to store narcotics or dangerous drugs should be included in the inspection process outlined in this directive.

Perishable Items

Refrigerated storage is available within the property/evidence unit for perishable items such as blood samples, urine specimens, etc. Two dorm size refrigerators with locks are located in the sally port and shall be used in the same manner as the lockers when evidence is seized after the Property and Evidence Unit is closed. DWI blood kits, blood, and urine should be placed in these refrigerators. Property placed in these refrigerators will be collected by Property and Evidence personnel upon their return to work. At no time, should these refrigerators be used to store food or beverage items and are marked with appropriate biohazard symbols. All property and evidence requiring refrigeration shall be packaged and sealed in a property/evidence envelope or container as outlined in Chapter 83 of the Greenville Police Department Policy and Procedures Manual, and submitted to the Property and Evidence Specialist for secured storage in the Property and Evidence Unit refrigerator. Rape kits are sealed at the hospital by the physician and it is not necessary for the police officer to place the kit in an evidence envelope. However, the police officer shall document the chain of custody and all associated paperwork and labeling must be completed prior to submission. .

If the Property and Evidence Unit is closed and a police officer has property to submit which must be refrigerated, the on-call Property and Evidence Specialist should be contacted and requested to report to the Property and Evidence Unit to accept the property for storage. If the Property and Evidence Specialist cannot be contacted, the Logistics Division Commander should be contacted. The Administrative Bureau Services Commander shall be called only if the above named personnel cannot be contacted.

Bulk Items

Large items having evidentiary value, such as a vehicle, shall be stored in the sally port. All such items shall be entered into New World by the officer prior to the end of shift. The sally port shall be secured with all doors locked to prevent entry while the evidence is being held. Any persons requiring entry into the sally port shall be accompanied by the Property and Evidence Specialist and all entries will be properly documented to preserve the integrity of the evidence.

84.1.3 PROPERTY AND EVIDENCE STORAGE AFTER BUSINESS HOURS

CALEA Standard: 84.1.3

When the Property and Evidence Unit is closed, property (size permitting) and the related property report shall be placed in a storage locker. The evidence lockers are located in the hall next to the evidence room and in the sally port and are to be used for the temporary storage of found, recovered, or evidentiary property when the property/evidence room is closed. Police officers shall use the following procedures for storing property or evidence in the lockers:

- The police officer shall process evidence or property in accordance with Department policy. The police officer shall place the evidence or property in an evidence locker and ensure the locker door is closed and the padlock is secured.
- When extenuating circumstances exist, (e.g., bulk items, large quantities, critical evidence,) or when all the evidence lockers are full, the on-call Property and Evidence Specialist should be notified and recalled to take custody of the property.
- In the event seized or recovered property cannot be properly secured in a storage locker the on-call Property and Evidence Specialist shall be contacted. If the on-call Property and Evidence Specialist cannot be contacted, the Logistics Division Commander shall be contacted.

84.1.4 DOCUMENTATION OF PROPERTY/EVIDENCE ROOM CONTENTS

CALEA Standard: 84.1.5, 84.1.6

Property/Evidence Management Records

The Property and Evidence Unit of the Greenville Police Department shall maintain a records system reflecting the status of all property held by the Department. This system shall include a list of property for each case, original chain of custody reports and original court orders involving property/evidence which will be maintained by the Property and Evidence Specialist.

The Property and Evidence Specialist shall maintain a record keeping system that reflects the status of all property held by the Department to include:

- The current location of the property/evidence
- The date and time the property/evidence was received and released or disposed of
- The chain of custody for each item

Inspections

At least semi-annually, the Commander of the Logistics Division or a designee will conduct an inspection of the property/evidence room to ensure the compliance to all property control procedures. The inspection shall consist of a formal review with a careful and critical examination of all components of the property and evidence function and shall ensure that:

- Provisions of agency directives on property/evidence control procedures are being followed
- The property/evidence room is maintained in a clean and orderly fashion
- Property/evidence is being protected from damage or deterioration
- Property/evidence accountability procedures are being maintained
- Property having no further evidentiary value is being disposed of according to established procedures

Change of Property and Evidence Specialist

Whenever a new Property and Evidence Specialist is designated, an inventory of property will be conducted jointly by the newly designated Property and Evidence Specialist, and a designee of the Chief of Police, to ensure that records are correct and properly annotated.

Whenever all Property and Evidence Specialists are out of service for vacation, training, or other scheduled or unscheduled absences, the Chief of Police will issue a directive transferring the functions and accountability for Property and Evidence Unit to the Logistics Division Commander. This directive will include the beginning and ending dates and times for the transfer.

Annual Audit

The Chief of Police shall designate a supervisor, not connected routinely or directly with the property/evidence control process, to conduct an annual audit of property and property management records. The audit shall consist of a significant representative sampling of property, including high risk items.

Unannounced Inspections

In addition to, and in support of, other regularly scheduled inspections, unannounced inspections of the property/evidence storage areas will be conducted randomly, at least once during every calendar year, this inspection will occur as directed by the Chief of Police. The unannounced inspection may consist of a brief observation of the facility for cleanliness and orderliness, and an abbreviated audit of a few items compared with documentation for those items.

All records pertaining to and any inspection, audit and inventory conducted of the Property and Evidence function as directed in this policy, shall be maintained in the office of the Logistics Division Commander.

84.1.5 DISPOSITION OF PROPERTY AND EVIDENCE

CALEA Standard: 84.1.1, 84.1.7

Property/Evidence Review and Release

The Property and Evidence Specialist may contact a police officer and request a review of property/evidence relating to investigations assigned to the police officer, or property/evidence submitted by the police officer. The police officer shall be responsible for responding to requests for review of property/evidence in a timely manner. The police officer may authorize the release or destruction of the property/evidence or the police officer may request the Property and Evidence Unit retain the property/evidence with an explanation for why the property should be retained.

The Property and Evidence Specialist must have proper authorization before releasing any seized, found, or recovered property. When removing evidence from the Property and Evidence Unit for court, the Property and Evidence Specialist and the police officer receiving the evidence must complete electronic signatures for the chain of custody.

Items not held by the court will be returned to the Property and Evidence Unit by the police officer not later than the end of the officer's tour of duty after leaving the courtroom. Whenever items are returned to the Property and Evidence Unit, the Property and Evidence Specialist and the police officer returning the property must complete electronic signatures for the chain of custody.

When evidence taken from the Property and Evidence Unit is held by the court

- The police officer shall complete the "Acknowledgement of Demand and/or Release or Other Action Form" and return it to the property and evidence specialist. Once completed, it will be scanned into New World and the original will be filed by the Property and Evidence personnel.
- The Property and Evidence Specialist shall document the release of property

Final Disposition of Found, Recovered, and Evidentiary Property

Officers are responsible for obtaining a court order from the District Attorney's office directing the proper disposition of all property associated with a case that has been disposed of. Final disposition of found, recovered, and evidentiary property will be accomplished as soon as possible after legal requirements have been satisfied in accordance with the following guidelines:

EVIDENTIARY PROPERTY/GUILTY FINDINGS

- *FELONY*- After the criminal trial and all possible appeals have been completed, all property lawfully seized by law enforcement authorities shall be disposed of. Officers may ascertain the status of a case on appeal through the District Attorney's Office. The court or magistrate, in their discretion, may order the property released to its lawful owner, forfeited, sold, or destroyed.
- *MISDEMEANOR*- Disposal shall be as soon as possible after the ten-day appeal time has lapsed.

EVIDENTIARY PROPERTY/NOT GUILTY FINDINGS

- In felony or misdemeanor findings, the disposal of property or evidence will be accomplished according to the order of the presiding judge. If "no probable cause" is found and the evidence or property is not contraband, it shall be returned to the owner. If the owner is not known, the disposal will be accomplished in the same manner as unclaimed property.

ONGOING INVESTIGATIONS/NO ARREST(S) MADE

- *FELONY/MISDEMEANOR* - Annually, the Property and Evidence Specialist will prepare an inventory of all property for review by individual officers to determine the status of the case or property. Each individual officer shall be responsible for determining the appropriate disposition of the inventoried property.

SPECIAL CIRCUMSTANCES

- In instances when the evidentiary property is very bulky, dangerous to store, prone to easy deterioration, needs special preservatives, or is of essential use to the owner (if the owner is not the arrestee), the District Attorney's Office must be contacted for guidance and advice.

- If property is returned to the owner or destroyed, photographs of the property may be taken at the discretion of the Investigating Officer and the disposition of the property recorded on the Property Report. These photographs will be retained in the digital darkroom as electronic digital images until printed copies are needed.

Destruction of Property/Evidence

The Property and Evidence Specialist will attest to the destruction of property and evidence by recording the date and place of destruction in New World. The manner of destruction will be as follows:

- Firearms and other dangerous weapons shall be disposed of in accordance with the court ordered disposition after all appropriate testing has been completed.
- A court order shall be required for destruction of evidence in which someone has been charged and adjudicated through the court system.
- The Property and Evidence Specialist shall insure the proper disposal of property or evidence in cases where no charges have been filed and the officer indicates that the property is no longer of evidentiary value
- Appropriate methods of disposal shall include returning to rightful owner, sale through propertyroom.com, burning, crushing, shredding, or other approved method of destruction.
- Destruction of any property in departmental custody will be conducted by the Property and Evidence Specialist and shall be witnessed and documented by the Logistics Division Commander or selected designee.

Recovered or Found Property (Non-Contraband)

Recovered or found property (non-contraband) is property in the custody of the Department's Property and Evidence Specialist that can be legally possessed by a U.S. or naturalized citizen.

Disposal of this type of property will be accomplished in the following manner:

- Provisions of North Carolina General Statute 15-11 through 15-17 shall be met.
- Property believed to be abandoned, lost, stolen, or otherwise illegally possessed shall be returned to the rightful owner upon reasonable and satisfactory proof of ownership.
- The property must remain unclaimed by the person who may be entitled to it for at least 180 days (60 days for bicycles) from the date of receipt by the law enforcement agency maintaining custody.

The Department must also advertise the sale of unclaimed, as well as, the notice of unclaimed property. The two notices may be combined for publication. The notice of sale must be published at least one time in a newspaper published in the county; be posted at the courthouse door; be posted at three other public places in the county; be published and posted at least 10 days prior to the sale; and be specific that the items sold will be sold through propertyroom.com and remaining items destroyed.

The rightful owner of such property may claim the property and take possession within 30 days of the date of the publication or notice.

84.1.6 SECURITY OF DRUGS/WEAPONS USED AS TRAINING AIDS

CALEA Standard: 84.1.4

Weapons and Explosives

Firearms and other weapons seized as a result of violations of state or federal law may be utilized as training aids once a Court Order has been issued in accordance with N.C. General Statute. A Court Order, signed by the presiding judge, shall be maintained on file by the Property/Evidence Custodian as documentation of the transfer of the weapon to agency use. An electronic signature representing the chain of custody to authorized personnel will serve as proof that the firearm was released from the Property and Evidence Unit. The property will be logged into agency property inventory and maintained in a secure area in accordance with other agency-owned firearms and weapons.

Seized or forfeited explosives will not be utilized for investigative or training purposes.

Controlled Substances

Controlled substances seized as a result of violations of state or federal law may be utilized as training aids, provided a Court Order specifies the drug type, amount, purpose, and receiving agency. A Court Order, signed by the presiding judge shall be maintained on file by the Property/Evidence Custodian as documentation of the transfer of the controlled substance to agency use. The removal and return of training aids shall be documented on a training aid accountability log maintained for that purpose.

GREENVILLE POLICE DEPARTMENT STANDARD OPERATING PROCEDURES		
84-1-2	Evidence Storage: Sally Port Use	
Date Initially Effective 06/01/08	By The Order Of: _____ William J. Anderson, Chief of Police	
Date Revised	Date Reissued	Page 1 of 2

A. PURPOSE

The purpose of this directive is to provide Department employees with appropriate procedures to be used when storing bulk items in the sally port. This includes procedures for calling out the Property and Evidence Personnel to take possession of the property.

B. DISCUSSION

If an officer seizes property for evidentiary purposes that cannot be stored in the lockers then the officer shall follow the procedures outlined below. In the event the property is recovered property then the officer shall make every effort to contact the owner. If an owner is unable to be contacted or respond in a reasonable amount of time, the officer shall take the necessary steps to have the Property and Evidence Personnel notified.

C. RESPONSIBILITIES OF THE INVESTIGATING OFFICER

1. The officer shall immediately notify the on-duty supervisor that the on-call Property and Evidence personnel needs to be contacted.
2. The officer shall advise the on-duty supervisor the location that the personnel should respond to and also the type of property that needs to be stored.
3. To maintain the chain of custody and preserve integrity the officer shall retain custody of the property until it is properly released to the Property and Evidence personnel.
4. All items submitted to Property and Evidence should be entered into New World by the officer prior to the end of shift.

D. RESPONSIBILITIES OF THE ON- DUTY SUPERVISOR

1. Communications shall be notified by the on-duty supervisor that the Property and Evidence personnel needs to be contacted. The supervisor shall also inform Communications the location of where they should respond to and the type of property to be stored.

E. RESPONSIBILITIES OF COMMUNICATIONS

1. Upon the request from the on-duty supervisor, Communications shall contact the on-call Property and Evidence personnel. They shall provide the location and the type of property that needs to be stored.

F. RESPONSIBILITIES OF PROPERTY AND EVIDENCE PERSONNEL

1. Upon their arrival within one hour Property and Evidence personnel will make contact with the officer at which time the chain of custody form will be signed and property released into the custody of the Property and Evidence Unit.
2. The date and time of transfer shall be documented.
3. Property and Evidence personnel shall secure all access points to the sally port.
4. "Evidence Lock Down" signs shall be posted on the interior access doors of the sally port.
5. Communications shall then be notified that the sally port is on a lock-down status.
6. Once the Property and Evidence personnel have completed their responsibilities they shall ensure that the door used for their exit is locked.